

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

---

MIGUEL DURAN,

Plaintiff,

v.

OFFICER WILLIAM WARNER, et  
al.,

Defendants.

---

HON. JEROME B. SIMANDLE

Civil No. 07-5994 (JBS/AMD)

**ORDER**

This matter having come before the Court on three of Plaintiff's motions: for an extension of time to file opposition to Defendants' summary judgment motion; for reconsideration pursuant to L. Civ. R. 7.1(i); and for an extension of time to move to amend the Complaint pursuant to Rule 15, Fed. R. Civ. P. [Docket Item 115]; the Court having considered the submissions of the parties; for the reasons explained in the Opinion of today's date; and for good cause shown;

IT IS this 29th day of **November, 2010** hereby

ORDERED that Defendants' motion for summary judgment [Docket Item 99] is DISMISSED without prejudice to re-filing after Plaintiff's pending discovery motions are adjudicated and after either the adjudication of Plaintiff's motion to amend the Complaint or the expiration of Plaintiff's time to file such a motion; and it is further

ORDERED that Plaintiff's motion for reconsideration is

DENIED; and it is further

ORDERED that Plaintiff's time to file a motion to amend the Complaint is enlarged to January 3, 2011.

s/ Jerome B. Simandle  
JEROME B. SIMANDLE  
United States District Judge